



D-1137

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	)	
<b>McGrady, et al.</b>	)	
	)	
Application No.: <b>09/849,625</b>	)	Art Unit 3627
	)	
Confirmation No.: <b>9504</b>	)	
	)	
Filed: <b>May 4, 2001</b>	)	Patent Examiner
	)	Steven McAllister
	)	
Title: <b>Method of Tracking and</b>	)	
<b>Dispensing Medical Items</b>	)	

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action ("Action") dated January 19, 2007, kindly enter

Applicants' "Request for Clarification" without prejudice as follows:

### **Request for Clarification**

Applicants request clarification and correction of the record. The Action is incomplete because it does not permit Applicants to submit a full response to every issue.

Claims 1-4, 9, 13-16, and 18-21 are pending. Reconsideration is respectfully requested.

#### **Applicants Request that all documents to be listed on form PTO-892**

The record shows that the Action refers to at least one document that has not been listed on form PTO-892. For example, note reliance in the Action on the document King, et al. (WO 98/50840). Correction of the record is requested. MPEP § 707.05(g).

#### **Applicants Request a copy of a document relied upon in the Action**

The record shows that the relied upon document to King, et al. (WO 98/50840) is neither a U.S. patent nor a published U.S. application. Nor has a copy of the relied upon document been furnished to Applicants. Applicants respectfully request a copy of the relied upon document. MPEP § 707.05(a).

#### **Request for a new period to reply**

Applicants request that the Office restart the time for reply in accordance with MPEP § 710.06. Applicants reserve all rights to provide additional response (e.g., remarks, amendment, etc.) to the Action.

#### **Request for treatment of the application as special**

The record shows that this application has been pending more than five (5) years. In accordance with MPEP § 708.01 (I) and § 707.02 this application is to be treated as a "special" case, which grants it receiving a very high examination priority and being advanced out of turn by the Examiner in the order of examination (MPEP § 708). Applicants respectfully request that the Office docketing system be modified to reflect the application having "special" status.

### Conclusion

For reasons discussed above, clarification and correction of the record are requested. Applicants respectfully submit that this application is in condition for allowance. The undersigned is willing to discuss any aspect of the Application by phone at the Office's convenience.

Respectfully submitted,



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Ralph E. Jocke      Reg. No. 31,029  
WALKER & JOCKE  
231 South Broadway  
Medina, Ohio 44256  
(330) 721-0000